

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

| | | |
|---------------------------|--------|-------------------------|
| UNITED STATES OF AMERICA, |) | CR. NO. 02-00225-01 DAE |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | |
| ANDY S.S. YIP, | (01)) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

REPORT AND RECOMMENDATION
CONCERNING PLEA OF GUILTY

The defendant, by consent, has appeared before me pursuant to Rule 11, Fed.R.Crm.P., and has entered a plea of guilty to Counts 4, 5, 6 and 7 of the Second Superseding Indictment. After examining the defendant under oath, I have determined that the defendant is fully competent and capable of entering an informed plea, that the guilty plea was intelligently, knowingly and voluntarily made, and that the offenses charged are supported by an independent basis in fact establishing each of the essential elements of such offenses. I therefore recommend that the plea of guilty be accepted and that the defendant be adjudged guilty and have sentence imposed accordingly.

IT IS SO RECOMMENDED.



/s/ Barry M. Kurren
United States Magistrate Judge
Dated: August 10, 2007

NOTICE

Failure to file written objections to this Report and Recommendation within ten (10) days from the date of its service shall bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. § 636(b)(1)(B).

UNITED STATES OF AMERICA V. ANDY S.S. YIP; CR. NO. 02-00225 DAE; REPORT AND
RECOMMENDATION CONCERNING PLEA OF GUILTY